

### **REMARKS**

Claims 1-37 are pending in this application. Claims 1, 20 and 32 have been amended for clarity, without acquiescence or prejudice to pursue the original claims in a related application. No new matter has been added.

#### **35 U.S.C. § 102**

Claims 1-6, 8-15, 18-19, 22, 24-29 and 32-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,708,173 (Behr et al.). Applicants respectfully traverse this rejection.

Claim 1 includes the feature of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” The Examiner asserts Behr et al discloses this limitation because the Utrace component writes multiple traces, and “the Utrace component writes two different trace files for Application 1 and for Application 2.” It is respectfully submitted that having two different trace files having the same trace format and grammar is not the same as having two different grammars as claimed. Specifically, Behr et al. does not teach or suggest a second trace grammar that is grammatically different than the first trace grammar.

Behr et al discloses a tracing infra-structure useful for instrumentation, whereas the claimed invention includes a mechanism to define relationships among traces and helps to create and analyze the traces automatically. Behr discloses one trace format and is silent regarding additional formats and/or grammars.

Unlike the method taught by Behr et al., the process of Claim 1 allows a user of the process to create two or more trace grammars. Because the trace grammars are *created* as part of the claimed process, a user of the process can create trace grammars that provide customized traces having, for example, different trace attributes and/or different trace formats as appropriate

for the users needs. Consequently, by disclosing “generically formatting all trace attributes in a common manner,” Behr et al. not only fail to anticipate the act of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar”, Behr et al. teach away from having a plurality of different grammars because Behr et al. wants to have one common format.

For at least the above reasons, Applicants believe that Behr et al. do not anticipate the process of Claim 1. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 2-6, 8-15, and 18-19 depend from Claim 1 and, as such, are patentable over Behr et al. for at least the reasons presented above. In addition, Claims 2-6, 8-15, and 18-19 recite limitations which further distinguish them from Behr et al. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Independent Claim 32 recites limitations substantially similar to those of Claim 1 and, thus, is patentable over Behr et al. for at least the reasons presented above. Applicants therefore respectfully request that these rejections be withdrawn.

Claims 33-37 depend from Claim 32 and, as such, are patentable over Behr et al. for at least the reasons presented above. In addition, Claims 33-37 recite limitations which further distinguish them from Behr et al. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Claims 22 and 24-29 depend from Claim 20. Because Claim 20 does not stand rejected under 35 U.S.C. § 102(e), Applicants believe that Claims 22 and 24-29 were improperly rejected under this section. Accordingly, Applicants respectfully request that these rejections be withdrawn.

### **35 U.S.C. § 103**

Claim 7 stands rejected under 35 U.S.C. § 103 as being unpatentable over Behr et al. in view of U.S. Patent 6,754,890 (Berry et al.). Applicants respectfully traverse this rejection.

Claim 7 recites “[t]he process of claim 6 in which one or more tables comprises hash tables corresponding to keywords in the one or more traces.” Claim 7 depends from Claim 6, which in turn depends from Claim 1. Accordingly, Claim 7 includes all the limitations of Claim 1. As discussed above, Behr et al. do not disclose each and every limitation of Claim 1. In particular, Behr et al. fail to disclose at least the limitations of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” Even if Berry et al. disclose the limitation “the one or more tables comprises hash tables corresponding to keywords in the one or more traces,” as alleged in the Final Office Action, Barry et al. fail to cure all of the deficiencies of Behr et al. In particular, like Behr et al., Barry et al. fail to disclose the limitations of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.”

Berry et al. provide a tracing mechanism where the process identifier of a process within a program being monitored is included in the trace file. For example, Berry et al., column 2, line 63, to column 3, line 11, specifically disclose:

A method of monitoring execution performance of a program is provided. A process identifier associated with a process within a program is determined, and a trace output file is created for the process such that the file name of the trace output file contains the process identifier. Trace records are generated in response to events within the process. The trace records associated with the process are then written to the trace output file associated with the process. Multiple processes may then be associated with unique trace output files simultaneously. Using this methodology, multiple instances of JVMs may be executing simultaneously, and each JVM may be generating trace records through a profiler. However, the origin of the trace records, as identified by the process identifier of the JVM, is used to place the trace information into a file that is identified through the use of the same process identifier. (emphasis added).

Berry et al.’s disclosure of a tracing mechanism that includes a process identifier in each trace file relates to the information content contained in a trace file and, as such, does not teach a process that includes “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” As discussed above in regard to Claim 1, the act of creating a trace grammar allows a user of the claimed process to customize traces to

suit his or her particular needs by, for example, creating trace grammars that provide for different trace formats and/or include different trace attributes. The simple inclusion of a process identifier in each trace file, as taught in Barry et al., thus does not allow a user to *create trace grammars*. Consequently, Barry et al. do not anticipate or make obvious either the claimed act of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” Barry et al. therefore cannot compensate for the deficiencies of Behr et al.

Because the combination of Behr et al. and Berry et al. fails to teach, disclose or suggest each limitation of Claim 1, Behr et al. and Berry et al. cannot be used to preclude patentability of Claim 7 under 35 U.S.C. § 103. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 16-17, 20, 30, and 31 stand rejected under 35 U.S.C. § 103 as unpatentable over Behr et al. in view of U.S. Patent 6,654,749 (Nashed). Applicants respectfully traverse this rejection.

Claim 16 recites “[t]he process of claim 8 further comprising: performing a search of the semantic network based upon a received query.” Claim 16 depends from Claim 8, which in turn depends from Claim 1. Accordingly, Claim 16 includes all the limitations of Claim 1. As discussed above, Behr et al. do not disclose each and every limitation of Claim 1. In particular, Behr et al. fail to disclose at least the limitations of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” Even if Nashed discloses the limitation “performing a search of the semantic network based upon a received query,” as alleged in the Final Office Action, Nashed fails to cure all of the deficiencies of Behr et al. because, like Behr et al., Nashed fails to disclose the limitations of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with rules of the meta-language grammar.”

Nashed merely discloses a search engine. For example, Nashed, column 2, lines 40-49, specifically discloses:

In accordance with the present invention, method and system for electronically searching information databases of information sources, which can be accessed for free or on a subscription fee basis, provide for access to information on a topic of interest using a search engine which searches information databases whose data records have been indexed into index fields, such as title, full text content and classification category with a plurality of selections, and where indexing data is stored at an indexed database coupled to the search engine. (emphasis added).

Nashed, column 3, lines 17-21, further teaches:

In one preferred embodiment, the server engine includes a query server containing a search processor which performs searching of the indexed database based on the search query entered and expansion words generated from the search query using semantic network expansion. (emphasis added).

These passages of Nashed detail a search engine that searches indexed database records using semantic network expression. However, Nashed does not disclose anything about a mechanism for tracing, let alone a process for materializing a trace in a markup language syntax that includes the steps of “creating a second trace grammar wherein the second trace grammar is grammatically different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar.” Nashed therefore cannot compensate for the deficiencies of Behr et al.

Because the combination of Behr et al. and Nashed fails to teach, disclose or suggest each limitation of Claim 1, Behr et al. and Nashed cannot be used to preclude patentability of Claim 16 under 35 U.S.C. § 103. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claim 17 depends from Claim 16 and, as such, is patentable over the combination of Behr et al. and Nashed for at least the reasons presented above. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claim 20 recites a first mechanism that receives a plurality of trace grammars, wherein the plurality of trace grammars are grammatically different than each other, the plurality of trace grammars modifiable within rules of a meta-language grammar. As discussed above in

connection with Claim 1, Behr et al. teach a tracing process that involves generically formatting all trace attributes in a common manner. In contrast, the system of Claim 20 allows for the use of plurality of trace grammars, wherein the plurality of trace grammars are grammatically different from each other, and the grammars are *modifiable* within the rules of a meta-language grammar. Because the grammars are modifiable, the claimed system can parse traces that have, for example, different trace formats. Behr et al. teach the advantage of using a single, common trace format, and thus teach away from the use of modifiable trace grammars as recited in Claim 20. Nashed does not disclose anything about the materialization of traces, and therefore does not cure the deficiencies of Behr et al.

Because the combination of Behr et al. and Nashed fails to teach or suggest each and every limitation of Claim 20, Behr et al. and Nashed cannot be used to preclude patentability of Claim 20 under 35 U.S.C. § 103. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 30-31 depend from claim 20 and, as such, are patentable over Behr et al. and Nashed for at least the same reasons presented above. Applicants therefore respectfully request that these rejections be withdrawn.

**CONCLUSION**

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number **7017812001**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number **7017812001**.

Respectfully submitted,

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